

Coordinated Tribal Water Quality Program

Introduction

The Coordinated Tribal Water Quality Program (CTWQP) was developed by the 27 federally recognized tribes in the State of Washington in 1990. Tribes have worked with the U.S. Environmental Protection Agency (EPA) to implement the CTWQP for the past 13 years. EPA funds are enabling the tribes to conduct water quality programs critical to the management of their treaty protected resources, and to provide for the health of their members and the environment.

The base level funding requirement for the Coordinated Tribal Water Quality Program is \$3.1 million per year. This provides \$110,000 to each of the 26 tribes for their individual programs, and \$240,000 for statewide program coordination. This funding structure provides for extremely low overhead with 94.5 percent of the funds going to on-the-ground activities and just 5.5 percent for coordination.

Funding for this program for the past five years has come from Senate appropriations aimed at Northwest tribes to supplement the EPA Indian General Assistance Program. Without these funds, the program would no longer exist because base level funding has not been provided for nearly a decade.

The past year's funding, while less in amount than in years past, provided important overall water quality program support to tribes. These CTWQP monies have evolved into providing much needed direct implementation monies that coupled with the Indian General Assistance Program (IGAP) create a net result larger than the sum of their parts. Profiles of individual tribal programs below will illustrate the utility and enabling nature of these monies.

The CTWQP is designed to further the ability of tribes to organize and begin addressing the water quality concerns that are threatening their reservations and treaty protected resources. Water pollution in Washington threatens the health of tribal members and their treaty resources without respect to political boundaries. Tribal jurisdictions interlock with many other jurisdictions, including some of the most densely populated and industrial areas in the state. Three commonalities guide program design and implementation:



Water quality in Battle Creek, which flows through the Tulalip Tribes' reservation, is monitored by tribal staff.
Photo: J. Shaw

- ◆ All tribes are confronted by serious water quality issues;
- ◆ All tribes require necessary infrastructure to adequately address these issues; and
- ◆ A watershed/ecosystem approach is the best approach to solving these issues because of their multi-jurisdictional nature.

The tribes in Washington developed and adopted the CTWQP as a watershed protection strategy to safeguard the resources on which they depend for their economic, spiritual and cultural survival. This strategy provides for the development of infrastructure, program implementation and statewide coordination.

At a time when EPA is working to improve responsiveness to Indian government and Indian lands, the Coordinated Tribal Water Quality Program provides a national model. The program demonstrates how tribes and EPA can improve the structure of their relationships, thereby improving the success of ecosystem management approaches. Additionally, this model program has produced transferable tools that can be shared with tribes throughout the nation. These tools include:

- ◆ Routine coordination and networking among tribes, state agencies and EPA;
- ◆ A coordinated tribal water quality database design and structure;
- ◆ A tribal water quality standards template;
- ◆ A Coordinated Tribal Water Quality Program design manual; and
- ◆ A cooperative state/tribal 303(d) strategy.

The tribes know that the battle against water pollution cannot be fought alone. To succeed, it will require cooperative, coordinated efforts with other governments. To make every funding dollar work to its fullest, the tribes are building partnerships with other governments to implement coordinated, cooperative programs that address water quality issues.

For more than two decades, the tribes in Washington have been successfully developing comprehensive, cooperative agreements with state and local governments and private interest groups to protect and manage natural resources essential to the survival of fish and shellfish. These processes, unique in the nation, have brought previously contending parties together in efforts to address difficult issues.

The tribes are committed to managing water quality on a watershed/ecosystem basis that transcends political boundaries. To that end the tribes have developed the CTWQP, which benefits not only the tribes, but all residents of the state.

The federally recognized tribes in Washington are confronted by serious water pollution issues, but lack the means to adequately address these issues. The main sources of pollution degrading tribal waters are:

- ◆ Urbanization;
- ◆ Agricultural practices;
- ◆ Logging and other silvicultural activities;
- ◆ Failing septic systems;
- ◆ Storm water runoff and sewer overflows;
- ◆ Municipal and industrial discharge;
- ◆ Industrial point source pollution;
- ◆ Municipal and industrial water diversions; and
- ◆ Mining.

Many of these pollution sources originate some distance from tribal reservations, yet still threaten tribal health and well-being. These types of pollution threaten the survival of salmon, shellfish and other natural resources on which the tribes depend for their survival.

Nearly all tribes operate fish hatcheries and other facilities to supplement stocks of wild salmon. These facilities, which depend on clean water for their operation, produce an average of 40 million young salmon annually.

Participating tribes want the CTWQP coordinating mechanism and technical components to build on the existing efforts of individual tribes and other entities to improve water quality, restore salmon populations and protect shellfish. The CTWQP is neither intended to replace existing tribal programs nor compete with them for funding.

The Program

For 12 years, 27 federally recognized Indian tribes in the State of Washington have been implementing the Coordinated Tribal Water Quality Program. Much has been accomplished in that time. As previously described, the CTWQP has two components – individual tribal programs and coordination.

Individual Tribal Programs

Each of the 27 tribes has professional staff to accomplish program activities. Work in FY 03 continues the successful program implementation.

Utilizing the CTWQP, tribes proceeded to develop and implement watershed management plans, monitor water quality trends, map problem areas, clean up shellfish beds, establish wellhead protection programs, and develop water quality standards.

As sovereign governments and partners in water quality management, the tribes also began participating in cooperative watershed-based, inter-governmental water quality protection activities.

Coordination

The Northwest Indian Fisheries Commission, functioning as the coordination entity for the CTWQP, organizes and facilitates bi-monthly program meetings, provides a forum for program policy development, serves as an information clearinghouse, represents tribal interests on statewide policy and technical committees, arranges meetings of tribal, state and federal participants to address water quality issues, facilitates implementation of tribal water quality programs, and works to maintain program funding. The intent is to support tribal programs while maintaining a coordinated program focus, allowing tribes to focus on their local water quality concerns.

Accomplishments

The continuing success of this tribal water quality protection strategy is encapsulated in the following list of program accomplishments. This is not intended to be a comprehensive list, but a representation of program achievements and the widespread environmental benefits that can be attributed to the program. The success of water quality protection and restoration in Washington requires the tribes to be full and consistent partners.

Tribal Program Accomplishments

Following are some examples of tribal water quality program activities and accomplishments in FY 03.

Makah Tribe

Gwen Swan knows the link between water quality and the dinner table better than most.

The Makah tribal member eats seafood nearly every day. She is also a fisheries technician whose duties include harvesting mussels and clams in and around Neah Bay to be tested for biotoxins such as Paralytic Shellfish Poison (PSP) and Amnesic Shellfish Poisoning (ASP).

PSP and ASP are both naturally occurring toxins. PSP can kill a person in as little as two hours by paralyzing the chest muscles used for breathing. ASP can cause vomiting and diarrhea within 24 hours and neurological damage such as memory loss, confusion and disorientation in the longer term. The testing of the mussels and clams is a key part of the tribe's water quality program.

"To protect these resources, it is critical that the tribe have the capacity to monitor and regulate the quality of marine waters regularly flowing within intertidal areas and streams that drain into the marine areas," said David Lawes, water quality resource specialist for the Makah Tribe. As part of ensuring the health of the Makah people, the tribe has established water quality standards that are currently being reviewed by the federal Environmental Protection Agency.

The tribe surveys more than 50 sites as part of its water quality monitoring plan. Using funds from the Coordinated Tribal Water Quality Program, the tribe purchased a new monitoring tool that tracks turbidity, temperature, salinity, dissolved oxygen and pH levels. Technicians track these stream health indicators as well as fecal coliform (human and animal waste). Knowing fecal coliform levels, for instance, alerts the tribe to the possibility of shellfish contamination. Additional CTWQP funds from CTWQP were used throughout the monitoring program.

"The biological testing of shellfish, for example, is one of the most important aspects of our water quality program," said Lawes. "When you have a population that relies so heavily on the life in the sea, lakes and rivers for subsistence, it's really important that you know the health of the whole system."

Jamestown S'Klallam Tribe

Dungeness Bay has a pollution problem and the Jamestown S'Klallam Tribe is working to clean it up. The tribe has always depended on the bay for shellfish. Not only does the tribe harvest clams and oysters along the beach for ceremonial and subsistence purposes, the tribe also operates a commercial shellfish farm in the bay.

In recent years, however, portions of the bay have been closed to recreational and commercial shellfish harvesting because of high levels of fecal coliform. The bacterium, which comes from the feces of warm-blooded animals, such as livestock, wildlife and humans, flushes into the bay. Because oysters and clams filter food from water, fecal coliform sometimes ends up in the tissue of shellfish, making people sick if eaten. Over time, however, shellfish will flush the pollutants from their system.

"The pollution problem is tough for the tribe as well as other residents in the area," said Lyn Muench, natural resources planner for the Jamestown S'Klallam Tribe. "We've had to work with different groups and try different things to identify the problems and get the word out about what can be done. The pollution in the bay is 'non-point,' meaning that it comes from numerous scattered small sources. We have this big problem of a polluted bay and the first weapon against it is information."

Since 1997 – when water samples began showing signs of pollution – the tribe has taken part in a coordinated effort to clean up the water in and around Dungeness Bay. With the help of Coordinated Tribal Water Quality funding, the tribe has helped monitor water quality in the bay, as well as the Dungeness River and its tributaries; and conducted two water circulation studies that identified where pollution was coming from and how it flowed throughout the bay each day.

The tribe, along with Clallam County, the Clallam Conservation District, the Department of Ecology, and other state agencies, also has worked to educate the public about the pollution problem by hosting workshops and seminars for residents living in or near the Dungeness watershed.

“Harvesting clams and oysters in Dungeness Bay is important to the tribe,” said Muench. “We will continue to work hard to solve this problem, because we want to ensure that the entire community can gather shellfish in this bay and not have to worry about pollution. But there is still a lot of work that needs to be done.”

Statewide Program Accomplishments

As part of a statewide water quality management model, the tribes and Washington Department of Ecology (DOE) have entered into an intergovernmental approach to coordinate monitoring efforts in safeguarding the water quality throughout the state. Through this technical assistance project, DOE is planning to share resources and expertise with tribal governments to more effectively protect the ecological integrity of our aquatic systems.

Additionally, the Coordinated Tribal Water Quality Program is beginning to implement a Coordinated Tribal Water Quality Program database to more efficiently organize, utilize and share data.

A Model EPA/Tribal Partnership

As the EPA has begun to address its responsibility to tribal lands and resources, the CTWQP is demonstrating how the tribes and EPA can work together. The program also is fulfilling EPA goals for working with Indian governments and lands. Those goals include:

- ◆ Development of tribal management capacity;
- ◆ Delegation of environmental protection programs to tribes; and

- ◆ Encouragement of cooperation between tribal, state and local governments to resolve environmental problems of mutual concern.

The Coordinated Tribal Water Quality Program is producing tribal water quality protection tools with nationwide applicability. To date, four distinct tools have been developed:

- ◆ A program design structure that works to coordinate the activities of 26 individual tribal government programs while supporting both their autonomy and sovereignty;
- ◆ The Tribal Water Quality Standards Template, a document created to assist tribes and tribal staff who have been selected to incorporate the development of water quality standards into their water quality protection programs;
- ◆ The 303(d) Cooperative Implementation Plan. This plan outlines an inter-governmental working relationship between DOE and individual tribal governments in completing the 303(d) listing process both on- and off-reservation throughout the state’s watersheds; and
- ◆ A Coordinated Tribal Water Quality Data Base design.

In FY 04 tribes participating in the CTWQP will begin work to “share the model” and take these and other tools to tribes throughout the region.

Conclusion

Through the Coordinated Tribal Water Quality Program, the tribes have the same goal for Washington waters as the federal Clean Water Act: To restore and maintain the chemical, physical and biological integrity of the nation’s waters.

For More Information

For more information about natural resource management activities of the treaty Indian tribes in western Washington, contact the Northwest Indian Fisheries Commission, 6730 Martin Way E., Olympia, WA 98516; or call (360) 438-1180. Visit the NWIFC home page at www.nwifc.org.